IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9725 OF 2004

Sudam Mahadev Patilhande .. Petitioner.
Vs.
Sunanda Ramakant Desai & Ors. .. Respondents.

Mr.J.J.Thakkar for the petitioner.
Mr.P.K.Dhakepalkar for respondent nos.1 to 5.

CORAM : D.B.BHOSALE, J.

DATED : 10TH DECEMBER, 2004

P.C.:

. Mr.Thakkar, learned counsel for the petitioner submits that he has instructions not to press this writ petition and the petitioner would be satisfied if the directions are given to the City Civil Court to dispose of the trial within time frame as per order of this court dated 12th April, 2004 passed in Writ Petition No.3265 of 2004. He further submits that the petitioner may be allowed to lead his evidence. Mr.Dhakepalkar, learned counsel for respondent nos.1 to 5 has no objection for allowing the petitioner to lead his evidence in the suit. After having heard the submissions of learned counsel for the parties I am satisfied that the following order shall meet the

ends of justice:

(a) The writ petition is disposed of as not pressed.

(b) The trial court shall allow the petitioner to lead evidence in the suit and decide the matter on merits in accordance with law.

(c) By consent the time to dispose of the suit is further extended for a period of three months.

(D.B.Bhosale, J.)